

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VIDYARTIE GANESH,

Plaintiff,

-against-

NYPD POLICE OFFICER WILLIAM CLEMENS,
POLICE OFFICER PATRICK FITZMAURICE,
POLICE OFFICER SGT JOHN MCCORMICK,
POLICE OFFICER LT. SIMON, POLICE
OFFICER JOHN AND JANE DOES; JOHN AND
JANE DOE STATE PROSECUTOR, DARA E.
MCCANTS, THE CITY OF NEW YORK, THE
LEGAL AID SOCIETY, POLICE OFFICER
LOUIS RABIN, and POLICE OFFICER
BRENDAN LANGENFELD,

Defendants.

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**DECLARATION OF JOSEPH
ZANGRILLI IN SUPPORT
OF DEFENDANT CITY OF
NEW YORK OFFICER
CLEMENS, OFFICER
FITZMAURICE, SERGEANT
MCCORMICK
LIEUTENANT SIMON
OFFICER RABIN AND
OFFICER LANGENFELD'S
MOTION TO DISMISS
PURSUANT TO 12(B)(6)**

22 CV 2396 (NRM) (JRC)

JOSEPH ZANGRILLI, an attorney duly admitted to practice in the Eastern District of
New York, declares pursuant to 28 U.S.C. § 1746, under penalty of perjury, as follows:

1. I am a Senior Counsel in the Office of Muriel Goode-Trufant, Acting
Corporation Counsel of the City of New York, attorney for defendants City of New York, Officer
William Clemens, Officer Patrick Fitzmaurice, Sergeant John McCormick, Lieutenant Darnell
Simon, Officer Louis Rabin and Officer Brendan Langenfeld.

2. I submit this declaration in support of the defendant's Motion to Dismiss
Pursuant to Rule 12(b)(6). I am familiar with the facts and circumstances stated herein based
upon personal knowledge, the books and records of the City of New York, and conversations with
its agents and employees.

3. Annexed hereto as **Exhibit “A”** is a true and accurate copy of plaintiff’s Amended Complaint (“ Amended Complaint”), filed on August 8, 2024.

4. Annexed hereto as **Exhibit “B”** is a true and accurate copy of the accusatory instrument and Dara McCants’ signed Supporting Deposition.

5. Annexed hereto as **Exhibit “C”** is a true and accurate copy of Dara McCants electronically signed Supporting Deposition.

Dated: New York, New York
August 30, 2024

/s/ Joseph Zangrilli
Joseph Zangrilli
Senior Counsel
Special Federal Litigation